

Mark Van Der Weide, General Counsel
 Richard M. Ashton, Deputy General Counsel
 Joshua P. Chadwick, Senior Special Counsel (*pro hac vice*)
 Yvonne F. Mizusawa, Senior Counsel (*pro hac vice*)
 Yonatan Gelblum, Senior Counsel (*pro hac vice*)
 Katherine Pomeroy, Senior Counsel (*pro hac vice*)
 Board of Governors of the Federal Reserve System
 20th Street and Constitution Avenue, N.W.
 Washington, D.C. 20551
 (202) 263-4835
 joshua.p.chadwick@frb.gov

*Counsel for Defendant Board of Governors of the
 Federal Reserve System*

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF WYOMING**

CUSTODIA BANK, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 22-CV-00125-SWS
)	
FEDERAL RESERVE BOARD OF)	
GOVERNORS and FEDERAL RESERVE)	
BANK OF KANSAS CITY,)	
)	
Defendants.)	

**DEFENDANT BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM’S
 UNOPPOSED MOTION FOR LEAVE TO FILE EXCESS PAGES**

Defendant Board of Governors of the Federal Reserve System (“Board”) hereby moves the Court for leave to file an Opposition to Plaintiff’s Motion on the Federal Reserve Bank of Kansas City’s Invocation of the Deliberative Process Privilege (ECF 194) (“Motion”) that is no longer than thirteen pages in length. In support of its motion, the Board states as follows:

1. On October 24, 2023, Plaintiff Custodia Bank, Inc. (“Custodia”) filed its Motion, which challenges Defendant the Federal Reserve Bank of Kansas City’s (“FRBKC’s”) invocation of the deliberative process privilege (“DPP”) in connection with deliberations concerning Board decisions.

2. The Motion, which attaches thirteen exhibits (ECF Nos. 194-01 through 194-13), raises numerous and complex issues of law with regard to the invocation of DPP over documents that Custodia sought from FRBKC and in depositions. In particular, Custodia challenges the application of the privilege to the Board’s contemplation of prospective guidance to the twelve Federal Reserve Banks on: (1) what might be relevant criteria in considering requests for Reserve Bank master accounts and services; and (2) how to develop a process that would facilitate adequate consideration of these criteria when Reserve Banks receive such requests.

3. Pursuant to Local Rule 7.1(b)(1)(C), the Board’s Opposition brief to the Motion is limited to no more than 10 pages.

4. In order to fully brief the Court on the relevant issues, the Board requests leave to file a brief in Opposition to the Motion that is no longer than thirteen pages, which is the length of plaintiff’s Motion.

6. Counsel for the Board has met and conferred with Custodia’s counsel regarding the requested page limits, and Custodia’s counsel has consented to the requested relief.

WHEREFORE, Defendant the Board of Governors of the Federal Reserve System respectfully moves the Court for leave to file an Opposition brief of no more than thirteen pages.

Dated: November 7, 2023

Respectfully submitted,

/s/ Joshua P. Chadwick

Mark Van Der Weide, General Counsel

Richard M. Ashton, Deputy General Counsel

Joshua P. Chadwick, Senior Special Counsel (*pro hac vice*)

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CERTIFICATE OF SERVICE

I hereby certify that on November 7, 2023, I electronically filed the foregoing using the court's CM/ECF system, which will send notification of such filing to all parties of record.

By: /s/ Joshua P. Chadwick
Joshua P. Chadwick

*Counsel for Defendant Board of Governors
of the Federal Reserve System*